

50



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/909,588	07/20/2001	Vadim Antonov	5642.P005X	3302

7590

07/07/2005

John P. Ward
BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP
12400 Wilshire Boulevard, Seventh Floor
Los Angeles, CA 90025-1026

EXAMINER

ABRISHAMKAR, KAVEH

ART UNIT	PAPER NUMBER
----------	--------------

2131

DATE MAILED: 07/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/909,588	Applicant(s) ANTONOV ET AL	
	Examiner Kaveh Abrishamkar	Art Unit 2131	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2005.
 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) ☐ Claim(s) _____ is/are allowed.
 6) ☒ Claim(s) 1-18 is/are rejected.
 7) ☐ Claim(s) _____ is/are objected to.
 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

2

DETAILED ACTION

Response to Amendment

1. This action is in response to the amendment filed on May 5, 2005. Claims 1-18 were originally received for consideration. Per the received amendment, claims 1, 7, and 13 have been amended. Claims 1-18 are currently being considered.

Response to Arguments

2. Applicant's arguments filed May 5, 2005 have been fully considered but they are not persuasive for the following reasons:

Regarding independent claim 1, the applicant argues that the CPA, Baker (U.S. Patent No. 6,449,719), does not teach or suggest "decrypting the encrypted communication at the second transfer point." This argument is not persuasive. The interpretation of the "transfer point" is a point that is responsible for transmitting received data to another point. This purpose is fulfilled by the client components which contain a data stream receive module (Figure 1 item 170) for receiving an encrypted data stream (communication) from the streaming server component, and possesses a decryption module (Figure 1 item 160, column 3 lines 1-7) to decrypt the encrypt the encrypted data stream (communication). After the data is decrypted, the decrypted data stream

Art Unit: 2131

(communication) is sent (transferred) to a display. Therefore, it is believed that the CPA does teach "decrypting the encrypted communication at the second transfer point."

Therefore, the rejection for the claims 1-18 is respectfully maintained as given below.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Baker (U.S. Patent No. 6,449,719).

Regarding claim 1, Baker discloses:

A method comprising:

"receiving an encrypted communication at a second transfer point in a second host, the communication sent by a first process to be encrypted by a first transfer point in a first host" (column 1 line 59 – column 2 line 34, column 2 line 44 – column 3 line 9, column 4 lines 17 – 36), wherein a server (first host) contains a streaming server component which contains a client interaction module and an

Art Unit: 2131

encryption module (transfer point) which combine to encrypt and communicate the packets to a client server component (second host);

“decrypting the communication at the second transfer point” (column 3 lines 1 – 9, column 4 lines 30-36, column 5 lines 26-39), wherein the client server component (second host) has a data stream receive module and a decryption module (second transfer ***point***) to receive and decrypt the encrypted communication;

“transferring the decrypted communication between the second transfer point and a second process within the second host”, (Figure 1, column 3 lines 1-9, column 4 lines 31-36), wherein the decrypted data stream is transferred from the data stream receive module and the decryption module (second transfer ***point***) to the local display control module and the display module (second process).

Claim 2 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, wherein ***“a first plurality of processes provided within the first host and a second plurality of processes are provided within the second host”*** (Figure 1, Figure 2, column 2 line 40 – column 3 line 9), wherein the server (first host) contains an encryption module (encryption process), a flow control module (process), and a client data connection module (process), while the client (second host) contains a data stream receive module (process), a decryption module (process) and a display module (process).

Claim 3 is rejected as applied above in rejecting claim 2. Furthermore, Baker discloses:

The method of claim 2, wherein "***the first plurality of processes within the first host can communicate with each other and the second plurality of processes can communicate securely with each other***" (Figure 1, Figure 2, column 2 line 40 – column 3 line 9, column 6 lines 14-27), wherein in the server, the flow control module (process) simultaneously communicates with both the encryption module (process) and the client control connection module (process), and in the client, the decryption module (process) passes decrypted information to the local display control module (process) while simultaneously communicating with the stream control protocol module (process).

Claim 4 is rejected as applied above in rejecting claim 3. Furthermore, Baker discloses:

The method of claim 3, wherein "***the first plurality of processes can communicate simultaneously with each other and the second plurality of processes can communicate simultaneously with each other***" (Figure 1, Figure 2, column 2 line 40 – column 3 line 9, column 6 lines 14-27), wherein in the server, the flow control module (process) simultaneously communicates with both the encryption module (process) and the client control connection module (process), and in the client, the decryption module (process) passes decrypted information to the local display control module (process) while simultaneously communicating with the stream control protocol module (process).

Claim 5 is rejected as applied above in rejecting claim 1. Furthermore, Baker discloses:

The method of claim 1, wherein "***the encrypted communication is transferred through a connection***" (Abstract, column 1 lines 6-12), wherein the connection is an Internet-type connection.

Claim 6 is rejected as applied above in rejecting claim 5. Furthermore, Baker discloses:

The method of claim 5, wherein "***the connection is a single-pipe connection***" (Abstract, column 1 lines 6-12), wherein the connection is an Internet-type connection.

5. Claims 7- 12 are machine-readable storage medium claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

6. Claims 13 – 18 are system claims analogous to the method claims rejected above, and therefore, are rejected following the same reasoning.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the

Art Unit: 2131

shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kaveh Abrishamkar whose telephone number is 571-272-3786. The examiner can normally be reached on Monday thru Friday 8-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KA
06/26/2005


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100